

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLAUDE SLEDGE III,

Defendant.

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4:05CR3072

**MEMORANDUM
AND ORDER**

This motion (filing 83) is another in a series of motions (e.g., filings 76, 78, 80) submitted by Mr. Sledge trying to get me to give him credit for time served in state custody while a federal detainer was pending. Like its immediate predecessor (filing 80), this motion is explicitly predicated upon Rule 35(a) of the Rules of Criminal Procedure. I will deny this motion as I have denied all the other similar motions.

First, Rule 35(a) by its terms only applies to math errors and the like and Rule 35(a) can only be utilized within 7 days after sentencing. Mr. Sledge's claim for credit is not the type considered under Rule 35(a) and it is far too late in any event. Second, there is no presently available remedy in this court for bringing the "jail credit" claim asserted by Mr. Sledge even if Mr. Sledge were to bring his claim under something other than Rule 35(a). That is true for a whole host of reasons.

I will order Mr. Sledge to stop filing motions in this court like the ones he has heretofore filed. They are a waste of his time and they are a waste of my time.

IT IS ORDERED that the motion to correct sentence pursuant to Rule 35(a) (filing 83) is denied with prejudice. The defendant shall file no further such motions in this court.

DATED this 11th day of March, 2009.

BY THE COURT:

s/Richard G. Kopf
United States District Judge